

NOT FOR PUBLICATION

R E C E I V E D

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

OCT 25 2016

ESTATE OF TARA O'LEARY, deceased, by
EILEEN DEVLIN and COLEEN WINTERS, Co-
Administratrix *ad Prosequendum* of the Estate of
Tara O'Leary; ESTATE OF LYDIA JOY PERRY,
deceased, by VIVIAN KALE and JANET
FANDEL, Co-Administratrix *ad Prosequendum* of
the Estate of Lydia Joy Perry,

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

Civ. No. 12-2625

MEMORANDUM ORDER

Plaintiffs,

v.

DEBRA SLOAN, individually, and as agent,
servant, and/or employee of the State Defendants
and/or The ARC of Hunterdon County; STATE OF
NEW JERSEY; DEPARTMENT OF HUMAN
SERVICES DIVISION OF DEVELOPMENTAL
DISABILITIES; BRIDGET GRIMES,
individually, and as agent, servant, and/or
employee of the State Defendants; JENNIFER
VELEZ, individually, and in her capacity as
the Commissioner of the State Department of
Human Services; MARION FENWICK,
individually, and as agent, servant, and/or
employee of the State Defendants; MARGE
BRIEGEL, individually, and as agent, servant,
and/or employee of the State Defendants and/or the
ARC of Hunterdon County; KENNETH
RITCHLEY, individually, and as agent, servant,
and/or employee of the State Defendants and/or the ARC
of Hunterdon County; ROBERT HAROLD,
individually, and as agent, servant, and/or
employee of the State Defendants and/or the ARC
of Hunterdon County; THE ARC OF
HUNTERDON COUNTY; JOHN & JANE DOES
1 - 50 (said names fictitious, real names unknown),
individually, and as policymakers, management,
supervisors, agents, servants, and/or employees of
the State Defendants, The ARC of Hunterdon
County, or of the ABC CORPS. I - IO (said names
fictitious, real names unknown),

Defendants.

THOMPSON, U.S.D.J.

This matter having come before the Court upon the Motion of Plaintiff, the Estate of Tara O'Leary, by co-administratrix *ad prosequendum*, Colleen Winters to Enforce Settlement and Compel Execution of the Settlement Agreement against co-administratrix *ad prosequendum* Eileen Devlin (ECF No. 87); and Defendants State of New Jersey, Department of Human Services-Division of Developmental Disabilities, Jennifer Velez, Marion Fenwick, Marge Briegel, Kenneth Ritchley and Robert Harbold ("State Defendants") having joined in Plaintiff's Motion (ECF No. 88); and co-administratrix *ad prosequendum*, Eileen Devlin, having replied to Plaintiff's Motion (ECF No. 89); and

IT APPEARING that Plaintiff Estate of Tara O'Leary and the State Defendants entered into a final settlement agreement and the Court entered an Order of Settlement reflecting such agreement on April 28, 2016 (ECF No. 80); and it

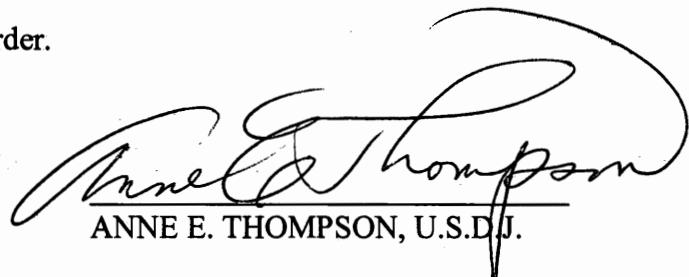
APPEARING that co-administratrix *ad prosequendum*, Eileen Devlin, representing Plaintiff, the Estate of Tara O'Leary, refuses to execute the settlement documents (ECF No. 89);

IT IS on this 24th day of October 2016,

ORDERED that Plaintiff's Motion to Enforce Settlement and Compel Execution of the Settlement Agreement is GRANTED; and it is further

ORDERED that the settlement in the amount of \$2,100,000.00 as to the State Defendants be and is hereby enforced; and it is further

ORDERED that co-administratrix *ad prosequendum*, Eileen Devlin, execute the settlement documents, or locate a replacement co-administratrix *ad prosequendum* to execute the settlement documents, within ten (10) days of this Order.



ANNE E. THOMPSON, U.S.D.J.